

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA**

Gray Helms Jackson,

Plaintiff,

vs.

Carolyn W. Colvin, Acting Commissioner of
Social Security,

Defendant.

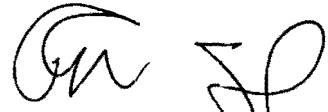
Civil Action No. 8:14-4906-RMG

ORDER

This matter comes before the Court for judicial review of the final decision of the Acting Commissioner of Social Security denying Plaintiff's application for Disability Insurance Benefits ("DIB") and Supplemental Security Income ("SSI"). In accordance with 28 U.S.C. § 636(b) and Local Rule 73.02, D.S.C., this matter was referred to the United States Magistrate Judge for pretrial handling. The Magistrate Judge issued a Report and Recommendation on January 26, 2016, recommending that the decision of the Commissioner be reversed and remanded to the agency because of the failure of the Administrative Law Judge to properly apply the provisions of the Treating Physician Rule, 20 C.F.R. § 404.1527. (Dkt. No. 11). The Acting Commissioner has filed a response to the Magistrate Judge's Report and Recommendation indicating that she will file no objections. (Dkt. No. 12). The Court has reviewed the Report and Recommendation and the record evidence and finds that the Magistrate Judge has ably addressed the factual and legal issues in this matter. Therefore, the Court **ADOPTS** the Report and Recommendation (Dkt. No. 11) as the order of this Court, **REVERSES** the decision of the

Commissioner pursuant to Sentence Four of 42 U.S.C. § 405(g), and **REMANDS** the matter to the Commissioner for further proceedings consistent with this order.

AND IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read 'RM Gergel', is written over a horizontal line.

Richard Mark Gergel
United States District Judge

Charleston, South Carolina
January 27, 2016